

Applicant or Patentee: THE AUSTIN RESEARCH INSTITUTE

Serial or Patent No:

Attorney's Docket No:

Filed or Issued:

For:

**VERIFIED STATEMENT (DECLARATION)
CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(d)) - NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION: THE AUSTIN RESEARCH INSTITUTE

ADDRESS OF ORGANIZATION: Kronheimer Building
The Austin Hospital
Studley Road
HEIDELBERG VIC 3084
AUSTRALIA

TYPE OF ORGANIZATION:

- ☐ University or other institution of higher education
- ☐ Tax exempt under Internal Revenue Service Code (26 USC 501(a) and 501(c)(3))
- ☐ Nonprofit scientific or educational under statute of state of The United States of America
(Name of state)
(Citation of statute)
- ☐ Would qualify as tax exempt under Internal Revenue Service Code (26 USC 501(a) and 501(c)(3)) if located in The United States of America
- ☒ Would qualify as nonprofit scientific or educational under statute of state of The United States of America if located in The United States of America
(Name of state)
(Citation of statute)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled:

"IMPROVED NUCLEIC ACIDS ENCODING A CHIMERIC GLYCOSYLTRANSFERASE"

by inventor(s): Ian Farquhar Campbell MCKENZIE
Mauro Sergio SANDRIN

described in:

- ☐ the specification filed herewith
- ☒ application serial no. PCT/AU97/00492, filed 1 August 1997
- ☐ patent no. , issued

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the above identified nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below * and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). * NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities (37 CFR 1.27).

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1.28(b)).


I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Michael Vovos

TITLE IN ORGANIZATION: Business Manager

ADDRESS OF PERSON SIGNING: Kronheimer Building, The Austin Hospital, Studley Road
HEIDELBERG VIC 3084, AUSTRALIA

SIGNATURE



DATE: 20 March 1998

MERCHANT & GOULD

United States Patent Application

▼ INSTRUCTIONS

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Insert TITLE of invention

IMPROVED NUCLEIC ACIDS ENCODING A CHIMERIC GLYCOSYLTRANSFERASE

Check a or b

The specification of which

a. ☐ is attached hereto

b. ☐ was filed on _____

If "b" checked, complete

as application serial no. _____

and was amended on _____ (if applicable)

(in the case of PCT-filed application)

If PCT Application

Insert int. application
number & filing date

described and claimed in international no. PCT/AU97/00492 filed 1 August 1997

and as amended on _____ (if any), which I have reviewed and for which I solicit a United States patent.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a). (Reprinted on back side).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119/365 of any foreign application(s) for patent of inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

a. ☐ no such applications have been filed.

b. ☒ such applications have been filed as follows:

FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC § 119			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)
AUSTRALIA	PO1402	2/8/1996	
UNITED STATES	60/024,279	21/8/1996	
ALL FOREIGN APPLICATIONS, IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S)			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)

I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS (patented, pending, abandoned)

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Adriano, Sarah B. Reg. No. 34,470	Gabilan, Mary Susan Reg. No. P-38,729	Plunkett, Theodore Reg. No. 37,209
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Beck, Robert C. Reg. No. 28,184	Gorman, Alan G. Reg. No. P-38,472	Reiland, Earl D. Reg. No. 25,767
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Carlson, Alan G. Reg. No. 25,952	Hollingsworth, Mark A. Reg. No. 38,491	Smith, Jerome R. Reg. No. 35,684
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Fauver, Cole M. Reg. No. 36,797		Wood, Gregory B. Reg. No. 28,133

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Merchant & Gould to the contrary.

Please direct all correspondence in this case to Merchant, Gould, Smith, Edell, Welter & Schmidt at the address indicated below (or if no address is specified, the first address):

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- ☐ Suite 400, 11150 Santa Monica Boulevard, Los Angeles, CA 90025-3302
Telephone No. (310) 445-1140

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Insert FULL name(s)
AND address(es) of
actual inventor(s)

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206	POST OFFICE ADDRESS		CITY	STATE & ZIP CODE/COUNTRY
SIGNATURE OF INVENTOR 201		SIGNATURE OF INVENTOR 202		SIGNATURE OF INVENTOR 203
DATE		DATE		DATE

For Additional Inventors:

- ☐ Check box and attach sheet with same information, including date and signature.